
State Government & Tribal Affairs
Committee

HB 2483

Brief Description: Concerning overseas and service voters.

Sponsors: Representatives Hurst, O'Brien, Armstrong, Hunt, Rodne, Morrell, Appleton, Alexander and Eddy; by request of Secretary of State.

Brief Summary of Bill

- Allows overseas or service voters to request, receive, and return ballots by fax or electronic mail.
- Requires ballot instructions to include contact information for the county auditor's office to confirm the ballot was received.
- Allows overseas or service voters to register to vote, request ballots, or transmit ballots on forms provided by the U.S. Department of Defense or the U.S. Election Assistance Commission.

Hearing Date: 1/12/10

Staff: Marsha Reilly (786-7135).

Background:

Federal law requires that ballots be sent to overseas and service voters and that there be a minimum of 45 days of transit time between the date ballots are mailed and the date the voted ballots are due back to local election administrators. State law requires that ballots must be mailed at least 18 days before a primary or election. In order for a ballot to be counted, it must be postmarked no later than election day and must reach the county auditor before the results are certified. An overseas or service voter may fax a voted ballot and the accompanying envelope if the voter agrees to waive secrecy. A voter may also obtain a ballot via electronic mail (e-mail) which may be printed, voted, and returned by postal mail. A faxed or a ballot sent electronically may only be counted if it is mailed and received before certification of the election.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The federal Military and Overseas Empowerment Act (Act) requires ballots for service and overseas voters be sent 45 days before an election. The Act also requires that service and overseas voters be provided additional options for receiving ballots and that ballot instructions include contact information for the auditor's office to confirm that the voter's ballot was received. Service and overseas voters may register to vote, request a ballot, or transmit a ballot using forms and methods provided by the U.S. Department of Defense or the U.S. Election Assistance Commission.

Summary of Bill:

An overseas or service voter may receive a ballot by fax, e-mail, or other electronic means. A voted ballot may be returned by fax or e-mail if the voter's signature on the declaration accompanies the ballot. The county auditor must establish procedures to protect the secrecy of the voted ballot. Overseas or service voters may request to receive all future ballots by fax, e-mail or other available electronic means.

Changes to ballot instructions for overseas and service voters must include the addition of contact information for the county auditor's office and must explain that a voter may return a ballot and signed declaration by fax or e-mail, and may contact the county auditor's office to confirm that the ballot is received.

An overseas or service voter may register to vote, request a ballot, or transmit a ballot using forms or methods provided by the U. S. Department of Defense or the U.S. Election Assistance Commission.

Appropriation: None.

Fiscal Note: Requested on January 11, 2010.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.